

HOUSE BILL REPORT

HB 1374

As Reported by House Committee On: Housing

Title: An act relating to prohibiting certain restrictions on the location of manufactured homes.

Brief Description: Prohibiting restrictions on the location of manufactured homes based exclusively on age and dimensions.

Sponsors: Representatives Simpson, Schindler, Miloscia, Sells, Chase and Holmquist.

Brief History:

Committee Activity:

Housing: 2/1/05, 2/15/05 [DPS].

Brief Summary of Substitute Bill

- Prohibits municipalities from restricting the location of mobile and manufactured homes in mobile home parks and manufactured housing communities based exclusively on age and dimension criteria.

HOUSE COMMITTEE ON HOUSING

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives Miloscia, Chair; Springer, Vice Chair; Holmquist, Ranking Minority Member; Dunn, Assistant Ranking Minority Member; McCune, Ormsby, Pettigrew, Schindler and Sells.

Staff: Robyn Dupuis (786-7166).

Background:

Under the Manufactured/Mobile Home Landlord-Tenant Act, owners of manufactured and mobile home communities are prohibited from preventing the entry of a manufactured or mobile home for the sole reason that the home has reached a certain age. Homes may be excluded or expelled for other reasons including failure to comply with fire, safety and other provisions of local ordinances and state laws.

Currently there is no state law to specifically prohibit local jurisdictions from passing ordinances restricting the entry of mobile or manufactured homes into mobile home parks or manufactured housing communities.

Recently passed statutes state that a city, code city or county may not enact any statute or ordinance that has the effect of discriminating against consumers' choices in the placement or use of a home in such a manner that is not equally applicable to all homes. However, the law also allows municipalities to require that manufactured homes be new and that the homes comply with all local design standards applicable to all other homes within the neighborhood within which the home is to be located.

Summary of Substitute Bill:

No local jurisdiction may enact any statute or ordinance that restricts the location of mobile homes or manufactured homes in mobile home parks or manufactured housing communities based exclusively on the age or dimensions of the mobile or manufactured home.

Current statutes (RCW 25.21.684, 35A.21.312 and 36.01.225), which allow jurisdictions to place age and design criteria on manufactured housing, apply only to housing to be sited outside of mobile home parks and manufactured home communities.

Substitute Bill Compared to Original Bill:

The substitute bill applies to mobile homes as well as manufactured homes, and mobile home parks as well as manufactured home communities. The substitute bill also clarifies that current statutes which allow jurisdictions to place age and design criteria on manufactured housing apply only to housing sited outside of mobile home parks and manufactured housing communities.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date of Substitute Bill: The bill contains an emergency clause and takes effect July 1, 2005.

Testimony For: Older homes, including single-wide homes and those built prior to 1976, represent very affordable housing. Many older parks have lots that can only accommodate single-wide homes, which are primarily older homes. When such homes move out of a park, if the park is unable to replace those units with similar units due to local ordinances, then often those lots remain vacant which reduces the availability of affordable housing stock. Mobile home owners who are forced to relocate because their mobile home parks close may have no place to move their home if ordinances based on age and size restrictions are allowed. There is an ordinance in Tukwila which prohibits mobile homes that are not HUD approved, this means all homes built prior to 1976, even if these homes meet Department of Labor and Industry standards. Parks in Tukwila have growing numbers of vacant lots which mean fewer affordable housing opportunities. There are communities with ordinances that specifically do

not allow single-wide homes at all. Some of the pre-1976 homes are better built than brand new homes.

Testimony Against: None.

Persons Testifying: Ken Spencer and John Woodring, Manufactured Housing Community of Washington; and Ray Munson, Mobile Home Owners of America 153.

Persons Signed In To Testify But Not Testifying: None.